

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Guillaume Cottarel et al.

Application No: 09/072,994

Filed: May 5, 1998

For: CELL-CYCLE REGULATORY PROTEINS  
FROM HUMAN PATHOGENS AND USES  
RELATED THERETO

Examiner: M. Pak

Art Unit: 1646

Attorney Docket No. GPC1-P02-032

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below:

July 21, 2003

Date of Signature and of Mail Deposit

  
Mary Jane DiPalma

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION OF LORRAINE DOYLE**

I, Lorraine Doyle, hereby declare as follows:

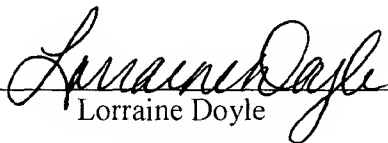
1. I am employed as Patent Docket and Compliance Manager at Ropes & Gray, LLP, the addressee of record for the Office Action purportedly mailed September 19, 2002 in the above-described application.
2. My responsibilities as Patent Docket and Compliance Manager include implementing and maintaining procedures for recording and processing incoming mail for the Patent Group at Ropes & Gray LLP.
3. All mail and facsimiles addressed to Ropes & Gray LLP are received through the Ropes & Gray LLP mailroom where the mailroom staff sorts the mail by addressee and delivers the mail accordingly. The Patent Group has a designated box for all mail received for the group. All mailings to the USPTO request that correspondence be directed to the Patent Group at Ropes & Gray LLP in order to ensure that all such correspondence is directed to the designated box. In addition, each attorney and secretary is instructed to forward any correspondence received directly by them, e.g., where the mailing address lists both the attorney's name and the Patent Group indication, to the Patent Group inbox. Compliance with this procedure is maintained on a regular basis.
4. At about the time the Office Action was purportedly mailed, the mail procedure was as follows: the mail was regularly collected from the designated box by a file room clerk responsible for opening, dating, and recording each piece of correspondence in a log which indicates the date, serial number, docket number, and description of each document. The corresponding file was then retrieved, the correspondence was secured to the file, and both were sent to the docketing department to be entered into both a manual and a computerized docketing system. The file was then picked up by a file clerk and delivered to the appropriate attorney.

5. Attached as Exhibit A are copies of pages from the above-mentioned mail log from September 19, 2002 to October 7, 2002. There was no correspondence relating to the above-described application recorded in this log for this time period.

6. No Office Action mailed on September 19, 2002 was entered into the computerized or manual docketing systems for the above-mentioned file, nor was any Office Action placed in the file for the above-described application.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title XVIII of the United States Code and that willful false statements may jeopardize the validity of this Application for Patent or any patent issuing thereon.

Date: 21 July 2003

  
Lorraine Doyle

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